REMARKS

Claims 32-40 are pending in this application. Claims 32 and 36-40, the independent claims, have been amended to define more clearly what Applicant regards as the invention; these changes are for the purposes of clarification only, and no change in scope is either intended or believed to be effected.

Claims 32 and 34-40 were rejected under 35 U.S.C. 103(a) as being obvious from U.S. Patent No. 5,818,970 (*Ishikawa*) in view of U.S. Patent No. 5,956,162 (*Nobuta*); and Claim 33, as being obvious from *Ishikawa* in view of *Nobuta* in further view of U.S. Patent No. 6,426,809 (*Hayashi*).

Claim 32 is directed to a color facsimile apparatus that includes reading means, generating means, extracting means, overwriting means, compressing means, storing means, and transmitting means. The reading means reads an image, the generating means generates image data representing the image, and the extracting means extracts data from the image data in minimum processing units for JPEG compression processing. The overwriting means overwrites transmission information of image data for a page header or page footer in a unit of extracted data extracted by the extracting means when the unit of the extracted data is a unit in which the transmission information should be overwritten. The compressing means executes JPEG compression processing for each unit of the extracted data including the unit of the extracted data in which the transmission information is overwritten after overwriting the transmission information by the overwriting means. The storing means stores compressed data by the compressing means

in a memory, and the transmitting means transmits a JPEG image data based on the compressed data stored in the memory.

Notably, Claim 32 overwrites transmission information of image data for a page header or page footer in a unit of extracted data when the unit of the extracted data is a unit in which the transmission information should be overwritten.

Ishikawa relates to an image encoding apparatus which extracts a character/line image from a multi-value image, and substitutes image information corresponding to the extracted character/line image with substitution data based on the image information. Thereafter, the apparatus encodes the image information corresponding to the character/line image, and the remaining image information by different methods.

Nobuta relates to a data communicating apparatus for selectively recording color and monochromatic images on different recording members.

At page 3 of the Office Action, the Examiner states that *Ishikawa* teaches a header information adder and overwriting line image information in extracted data units. The Examiner cites column 14, lines 60-65; column 15, lines 10-30 and 47-56; column 24, lines 34-40; and column 25, lines 57-67 of *Ishikawa*.

First, Applicant respectfully submits that the Examiner is misunderstanding *Ishikawa* with regard to the "header" in the cited portions of that patent. The "header" in *Ishikawa* relates to a header of a data sequence and is different from the "header" of Claim 32; the header of Claim 32 is a header on a page. Applicant has amended Claim 32 herein to even further clarify that the header of Claim 32 indicates a header on a page.

Ishikawa does not teach or suggest a header on a page. Therefore, *Ishikawa* does not teach or suggest either the overwriting means of Claim 32 or the compressing means of Claim 32. Specifically, nothing in *Ishikawa* would teach or suggest "overwriting means for overwriting transmission information of image data for a page header or page footer in the unit of extracted data extracted by said extracting means when the unit of the extracted data is a unit in which the transmission information should be overwritten," and "compressing means for executing JPEG compression processing for each unit of the extracted data including the unit of the extracted data in which the transmission information is overwritten after overwriting the transmission information by said overwriting means," as recited in Claim 32.

The Office Action also states at page 3 that *Ishikawa* fails to "explicitly teach overwriting means for overwriting transmission information for a header or footer in the unit of extracted data extracted by said extracting means when the unit of the extracted data is a unit in which the transmission information should be overwritten." Further, the Office Action states, at page 3: "However, *Nobuta et al* teach overwriting transmission information for a header or footer by updating (overwriting by page increments) the transmission data according to the type of page being transmitted and the current page number..."

Nobuta discusses adding header information to a part of a transmitted image in a monochromatic facsimile, but does not teach adding the header information to a part of a transmitted image in a color facsimile since the header information may be deteriorated in quality (see column 2, lines 42-51; and column 12, lines 22-39). Therefore, *Nobuta*

discusses transmitting character information as parameters of the comment (COM) marker in the JPEG data in a color facsimile (see column 12, lines 40-51), which is not overwriting header information in a part of a transmitted image; furthermore, the character information is not image data.

Claim 32 is directed to a color facsimile apparatus, and it is also recited in Claim 32 that transmission information is overwritten in data extracted from image data and that the transmission information is image data

Nothing in *Ishikawa* or *Nobuta*, whether considered either separately or in any permissible combination (if any) would teach or suggest overwriting transmission information of image data for a page header or page footer in a unit of extracted data when the unit of the extracted data is a unit in which the transmission information should be overwritten, as recited in Claim 32,

Accordingly, Claim 32 is believed to be patentable over *Ishikawa* and *Nobuta*, whether considered separately or in any permissible combination (if any).

Independent Claims 36-40 recite features similar in many relevant respects to those discussed above with respect to Claim 32 and therefore are also believed to be patentable over *Ishikawa* and *Nobuta* for at least the reasons discussed above.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

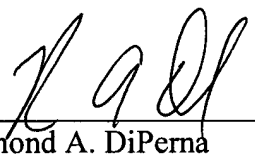
The other claims in this application are each dependent from Claim 32 discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Raymond A. DiPerna
Attorney for Applicant
Registration No.: 44,063

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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